



LEROY D. BACA, SHERIFF

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169
A Tradition of Service



November 12, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**ACCEPT A GRANT AWARD FROM THE DEPARTMENT OF HOMELAND
SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR
THE 2013 PORT SECURITY GRANT PROGRAM AND APPROVE AN
APPROPRIATION ADJUSTMENT
(ALL DISTRICTS) (4 VOTES)**

SUBJECT

Request Board approval authorizing the Sheriff of Los Angeles County (County) to accept and execute a grant award in the amount of \$375,000 from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) for the 2013 Port Security Grant Program (PSGP) and approve an Appropriation Adjustment.

IT IS RECOMMENDED THAT THE BOARD:

1. Delegate authority to the Sheriff, as an agent for the County, to accept and execute the attached Grant Award Agreement Number EMW-2013-PU-00197-S01 (Agreement) with FEMA in the amount of \$375,000 for the grant period from September 1, 2013, through August 31, 2015. A required match not to exceed \$125,000 will be funded by the Los Angeles County Sheriff's Department (Department).
2. Delegate authority to the Sheriff or his designee to execute and submit all required grant documents, including but not limited to, applications, agreements, memorandum of understanding, amendments, modifications, augmentations, extensions, payment requests, and grant renewals that may be necessary for completion of the PSGP.
3. Approve an Appropriation Adjustment to increase the Department's Patrol Clearing Budget Unit in the amount of \$75,000 (Services and Supplies - \$75,000) and General Support Services Budget Unit

in the amount of \$300,000 (Services and Supplies - \$300,000) for Fiscal Year (FY) 2013-14 to be fully offset by grant funding. The funding from the Patrol Clearing Budget Unit will be distributed to the Patrol Specialized and Unallocated Budget Unit.

4. Delegate authority to the Sheriff as an agent for the County to apply and submit a grant application to FEMA for the PSGP in future fiscal years and to execute all required grant application documents, including assurances and certifications, when and if such future funding becomes available.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to accept \$375,000 in grant funding from FEMA for the 2013 PSGP. The objective of the program is to support all core capabilities in the prevention, protection, mitigation, response and recovery from threats and hazards that pose the greatest risk to United States security. The Department provides the first layer of protection by patrolling the entire coastline of the County including San Clemente and Catalina Islands, screening incoming ships for Chemical, Biological, Radiological, Nuclear, and Explosive (CBRNE) materials prior to their entry into the Ports of Los Angeles and Long Beach. The grant funds will enhance the Department's port security capabilities by training personnel who are operating the CBRNE screening platform vessels; and for maintenance/repair services for vessels that are on an as-needed basis over the period of the grant.

Implementation of Strategic Plan Goals

Approval of the recommended action is consistent with the County's Strategic Plan, Goal 3, Integrated Services Delivery. The grant funds will be directed toward enhancing the capabilities of the Department's Port Security Program, which supports a safe and secure environment for the County's residents.

FISCAL IMPACT/FINANCING

Approval of an Appropriation Adjustment of \$450,000 is requested to increase the Department's Patrol Clearing Budget Unit in the amount of \$75,000 (Services and Supplies - \$75,000). This funding will then be distributed to the Patrol Specialized and Unallocated Budget Unit resulting in an appropriation increase for this budget unit. General Support Services Budget Unit will also have an appropriation increase in the amount of \$300,000 for Services and Supplies for FY 2013-14 to be fully offset by grant funding. A required match not to exceed \$125,000 will be provided by the Department (Patrol Budget Unit Services and Supplies - \$25,000; General Support Services Budget Unit Services and Supplies - \$100,000).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This will be the fourth grant award for this program. On June 18, 2013, the Department submitted an application in response to FEMA's PSGP grant solicitation. Upon review of the Department's application, FEMA selected the Department to be a grant recipient of \$375,000 with a required match not to exceed \$125,000.

The Agreement will be in effect for 24 months from September 1, 2013, through August 31, 2015.

This Board letter has been reviewed by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This grant funding will have a positive impact on current services as it enhances the capabilities of the Department's port security, and the ship screening operation of all incoming ships entering the ports of Los Angeles and Long Beach.

CONCLUSION

Upon Board approval, please return two individually adopted copies of this Board letter to the Department's Grants Unit.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leroy D. Baca".

LEROY D. BACA
Sheriff

LDB:JAT:dal

Enclosures

Los Angeles County Chief Executive Office
Grant Management Statement for Grants Exceeding \$100,000

Department: LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

Grant Project Title and Description: 2013 Port Security Grant Program

The grant will enhance the Los Angeles County Sheriff's Department port security capabilities by providing funds to patrol the entire coastline of the County and screen incoming ships for Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) materials prior to their entry into the Port of Los Angeles and the Port of Long Beach. Grant funding will be used to train personnel operating the CBRNE screening platform vessels and for maintenance/repair services for these vessels on an as-needed basis over the period of the grant.

Funding Agency
United States Department of
Homeland Security, Federal
Emergency Management Agency

Program (Fed. Grant # /State Bill or Code #)
EMW-2013-PU-00197-S01

Grant Acceptance Deadline
November 15, 2013

Total Amount of Grant Funding: \$375,000

County Match: \$125,000

Grant Period: 24 Months

Begin Date: September 1, 2013

End Date: August 31, 2015

Number of Personnel Hired Under This Grant: 0

Full Time: 0 **Part Time:** 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes n/a No

Will all personnel hired for this program be placed on temporary ("N") items? Yes n/a No

Is the County obligated to continue this program after the grant expires? Yes No X

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes X No

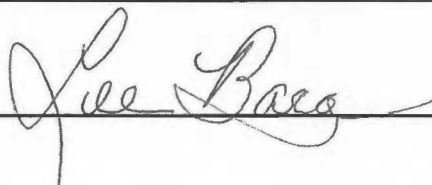
b). Identify other revenue sources Yes No X
(Describe) _____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes n/a No

Impact of additional personnel on existing space: N/A.

Other requirements not mentioned above: None

Department Head Signature _____



Date _____

10/25/13

PINK

BA FORM 03/13

BOARD OF
SUPERVISORS
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S. NO. 770

DEPARTMENT OF SHERIFF

October 30, 2013

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2013-14

4 - VOTES

SOURCES

BA DETAIL - SEE ATTACHMENT PAGE 1

USES


BA DETAIL - SEE ATTACHMENT PAGE 1

SOURCES TOTAL: \$ 450,000

USES TOTAL: \$ 450,000

JUSTIFICATION

Appropriation Adjustment to accept and execute a grant award in the amount of \$375,000 from the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) for the 2013 Port Security Grant Program (PSGP). The grant expires on August 31, 2015. Funding will be placed in Patrol Clearing Budget Unit and it will then be distributed to Patrol Specialized & Unallocated Budget Unit.


AUTHORIZED SIGNATURE Conrad Meredith, Asst. Division Director, ATD

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

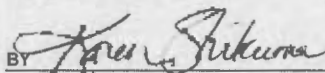
REFERRED TO THE CHIEF
EXECUTIVE OFFICER FOR ---

☐ ACTION

☒ RECOMMENDATION

AUDITOR-CONTROLLER

BY



B.A. NO. 028

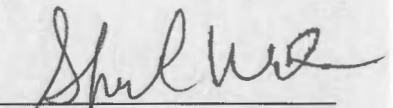
Oct 15 2013

☒ APPROVED AS REQUESTED

☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY



October 18 2013



U.S. Department of Homeland Security
Washington, D.C. 20472

AGREEMENT ARTICLES
Port Security Grant Program

GRANTEE: LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT
PROGRAM: Port Security Grant Program
AGREEMENT NUMBER: EMW-2013-PU-00197-S01

TABLE OF CONTENTS

Article I	Summary Description of Project
Article II	Assurances, Administrative Requirements and Cost Principles
Article III	Acknowledgement of Federal Funding from DHS
Article IV	Activities Conducted Abroad
Article V	Best Practices for Collection and Use of Personally Identifiable Information (PII)
Article VI	Copyright
Article VII	Debarment and Suspension
Article VIII	Drug-Free Workplace Regulations
Article IX	Duplication of Benefits
Article X	False Claims Act and Program Fraud Civil Remedies
Article XI	Federal Debt Status
Article XII	Fly America Act of 1974
Article XIII	Hotel and Motel Fire Safety Act of 1990
Article XIV	Lobbying Prohibitions
Article XV	Non-supplanting Requirement
Article XVI	Trafficking Victims Protection Act of 2000

Article XVII	USA Patriot Act of 2001
Article XVIII	Use of DHS Seal, Logo and Flags
Article XIX	DHS Specific Acknowledgements and Assurances
Article XX	Compliance with Funding Opportunity Announcement
Article XXI	Acceptance of Post Award Changes

Article I - Summary Description of Project

Project 1: Training for personnel operating Port Integrated Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) ship screening platforms is approved for funding in the amount of \$75,000.

Project 2: Maintenance for Port Integrated Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) ship screening platforms purchased with prior Homeland Security funds is approved for funding in the amount of \$300,000.

Article II - Assurances, Administrative Requirements and Cost Principles

a. Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

b. The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article III - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article IV - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article V - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All award recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article VI - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article VII - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article VIII - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article IX - Duplication of Benefits

State, Local and Tribal Recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article X - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article XI - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article XII - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article XIII - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article XIV - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article XV - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article XVI - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

- (a) Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
- (b) Procures a commercial sex act during the period of time that the award is in effect; or
- (c) Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article XVII - USA Patriot Act of 2001

All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article XVIII - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XIX - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.

6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article XX - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Funding Opportunity Announcement.

Article XXI - Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.

Obligating Document for Award/Amendment

1a. **AGREEMENT NO.** 2. 3. **RECIPIENT NO.** 4. **TYPE OF ACTION** 5. **CONTROL NO.**
 EMW-2013-PU-00197-S01 AMENDMENT956000927G W503830N
 NO.

6. **RECIPIENT NAME AND ADDRESS** 7. **ISSUING FEMA OFFICE AND ADDRESS** 8. **PAYMENT OFFICE AND ADDRESS**
 LOS ANGELES COUNTY Grant Operations Financial Services Branch
 SHERIFF'S DEPARTMENT 245 Murray Lane - Building 410, SW 500 C Street, S.W., Room 723
 4700 RAMONA Washington DC, 20528-7000 Washington DC, 20472
 BOULEVARD POC: 866-927-5646
 MONTEREY PARK, CA, 91754

9. **NAME OF RECIPIENT PROJECT OFFICER** 10. **NAME OF FEMA PROJECT COORDINATOR**
 Jessica Tjioe (323) Central Scheduling and Information Desk
 526-5260 Phone: 800-368-6498
 Email: Askcsid@dhs.gov

11. **EFFECTIVE DATE OF THIS ACTION** 12. **METHOD OF PAYMENT** 13. **ASSISTANCE ARRANGEMENT** 14. **PERFORMANCE PERIOD**
 09/01/2013 PARS Cost Reimbursement
From: 09/01/2013 **To:** 08/31/2015
Budget Period
 09/01/2013 08/31/2015

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE)	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Port Security Grant Program	97.056	2013-SL-B411-P400- -4101-D:W503830N \$ 375,000.00	\$0.00	\$375,000.00	\$375,000.00	\$125,000.00
TOTALS			\$0.00	\$375,000.00	\$375,000.00	\$125,000.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.
 N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

Port Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

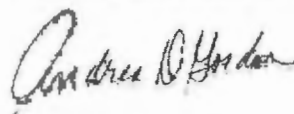
This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. **RECIPIENT SIGNATORY OFFICIAL (Name and Title)**
 N/A

DATE
 N/A

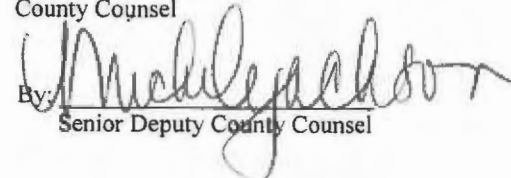
18. **FEMA SIGNATORY OFFICIAL (Name and Title)**

DATE
 09/06/2013



ANDREA GORDON, Assistance Officer

APPROVED AS TO FORM:
 JOHN F. KRATTLI
 County Counsel

By: 
 Senior Deputy County Counsel

Leroy D. Baca, Sheriff